

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kayan et al.

Examiner: Todd E. Manahan

Serial No.: 10/697,523

Group: Art Unit 3732

Filed: October 30, 2003

Docket: 2512 CON2 (203-2719 CON2)

For: APPARATUS AND METHOD
FOR SURGICAL FASTENING

Dated: January 30, 2004

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450, Alexandria
VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. Copies of the listed items are enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 30, 2004.

Dated: January 30, 2004



Francesco Sardone

An English language translation of DE 197 51 791 is not available at this time. However, it is respectfully submitted that the contents of DE 197 51 791 can be readily ascertained from the drawing figures.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

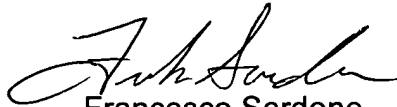
- ☒ [X] This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ [] This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☐ [] To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ [] Enclosed herewith is a certificate under 37 C.F.R. § 1.97(e)(1).
- ☐ [] Enclosed herewith is a petition under 37 C.F.R. § 1.97(d)(ii).
 - ☐ [] Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
 - ☐ [] Please charge the \$130.00 petition fee to Deposit Account No. 50-2140.
- ☐ [] Enclosed by check is the \$180.00 fee required by 37 C.F.R. § 1.17(p).
- ☐ [] Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 50-2140.

[X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-2140. Also, in the event any extensions of time for responding and/or a petition under 37 C.F.R. §1.17(i)(i) are required for the pending application(s), please treat this paper as a petition to extend the time and/or enter this Information Disclosure Statement as required and charge Deposit Account No. 50-2140 therefor. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance.

Early and favorable consideration of this application are respectfully requested.

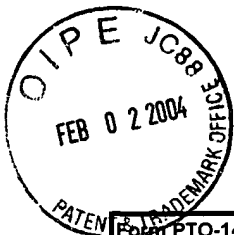
Respectfully submitted,



Francesco Sardone
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FS/mpl



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INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional)	Application Number
	2512 CON2 (203-2719 CON2)	10/697,523
	Applicant	
	Helmut L. Kayan et al.	
	Filing Date	Group Art Number
	30-Oct-03	3732

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
		5,413,584	5/95	Schulze			
		5,547,474	8/96	Kloechi et al.			
		5,626,586	5/97	Pistl et al.			
		5,695,502	12/97	Pier et al.			
		5,769,303	6/98	Knodel et al.			

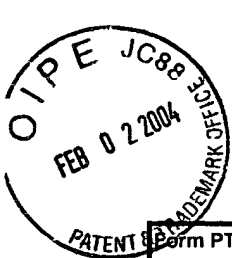
FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No

OTHER DOCUMENTS

Examiner	Date Considered
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Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket Number (Optional) 2512 CON2 (203-2719 CON2)	Application Number 10/697,523
	Applicant Helmut L. Kayan et al.	
	Filing Date 30-Oct-03	Group Art Number 3732

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	5,755,726	5/98	Pratt et al.			
	5,772,673	6/98	Cuny et al.			
	5,816,471	10/98	Plyey et al.			
	5,817,109	10//98	McGarry et al.			
	5,829,662	11/98	Allen et al.			
	4,802,478	2/89	Powell			

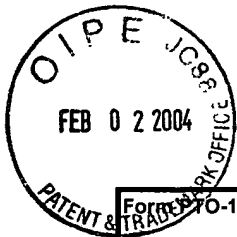
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	5,544,802	8/96	Crainich			
	4,919,152	4/90	Ger			
	4,944,443	7/90	Oddsen et al.			
	5,125,553	6/92	Oddsen et al.			
	5,174,487	12/92	Rothfuss et al.			
	5,282,808	2/94	Kovac et al.			
	5,289,963	3/94	McGarry et al.			
	5,356,064	10/94	Green et al.			
	5,364,002	11/94	Green et al.			
	5,366,479	11/94	McGarry et al.			
	5,392,978	2/95	Velez et al.			

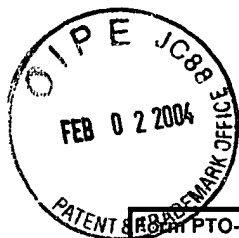
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						Yes	No

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Sheet

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PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number (Optional)

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10/697,523

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Helmut L. Kayan, et al.

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Group Art Number

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U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	4,452,376	6/5/1984	Klieman et al.			
	4,895,289	1/23/1990	Richards et al.			
	4,874,122	10/17/1989	Froelich et al.			
	5,171,249	12/15/1992	Stefanchik et al.			
	5,300,081	4/5/1994	Young et al.			
	5,372,600	12/13/1994	Beyar et al.			
	5,381,943	1/17/1995	Allen et al.			
	5,403,327	4/4/1995	Thornton et al.			
	5,425,489	6/20/1995	Shichman et al.			
	5,439,468	8/8/1995	Schulze et al.			
	5,456,400	10/10/1995	Shichman et al.			
	5,497,933	3/12/1996	DeFonzo et al.			

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	Document Number	Date	Country	Class	Subclass	Translation	
						Yes	No
	197 51 791 A1	11/97	DE				
	0 570 087 A1	11/93	EPO				
	0 509 513 A1	10/92	EPO				
	0 168 244 A2	1/86	EPO				
	00/02490	1/00	WO				

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